

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA**  
Richmond Division

IN RE:	)	
	)	
JAMES HENRY CYRIAX	)	Case No. 21-31764-KLP
	)	Chapter 13
Debtor	)	

**SECOND MOTION FOR EXTENSION OF TIME FOR FILING  
AMENDED CHAPTER 13 PLAN AND RELATED MOTIONS**

COMES NOW the Debtor, by counsel, and files this Second Motion to extend the time for the filing of Debtor's Amended Chapter 13 Plan and Related Motions, and in support hereof states unto the Court as follows:

1. On or about September 22, 2021 the Court sustained an objection to the Debtor's original Chapter 13 Plan.

2. Pursuant to LBR 3015-2, the Debtor's Amended Chapter 13 Plan was due October 13, 2021, which date has been extended to October 27, 2021.

3. Debtor needs additional time to review and sign an amended Chapter 13 plan.

WHEREFORE, the Debtor respectfully requests that the Court enter an Order extending the time for the filing of Debtor's Amended Chapter 13 Plan and Related Motions and for such other relief as the Court may deem appropriate.

James E. Kane (VSB# 30081)  
KANE & PAPA, P.C.  
P. O. Box 508  
Richmond, Virginia 23218-0508  
Telephone (804) 225-9500  
*Counsel for Debtor*

Respectfully submitted,

JAMES HENRY CYRIAX  
By Counsel

/s/ James E. Kane  
James E. Kane (VSB# 30081)  
KANE & PAPA, P.C.  
P. O. Box 508  
Richmond, Virginia 23218-0508  
Telephone (804) 225-9500  
*Counsel for Debtor*

**CERTIFICATE OF SERVICE**

I hereby certify that on October 27, 2021, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to all parties registered to receive notice thereof and to all creditors and parties in interest on the attached mailing matrix.

/s/ James E. Kane  
James E. Kane

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA**  
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IN RE:	)	
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JAMES HENRY CYRIAX	)	Case No. 21-31764-KLP
	)	
Debtor	)	

**NOTICE OF MOTION**

The above Debtor has filed a Second Motion to extend the time for the filing of Debtor's Amended Chapter 13 Plan and Related Motions.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, then you or your attorney must:

- File with the court, at the address shown below, a written request for a hearing [or written response pursuant to Local Bankruptcy Rule 9013-1(H)]. If you mail your request for a hearing (or response) to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above, to:

Clerk of Court  
United States Bankruptcy Court  
701 East Broad Street  
Richmond, VA 23219

You must also mail a copy to:

James E. Kane, Esquire  
Kane & Papa, P.C.  
1313 East Cary Street  
Richmond, Virginia 23219

- Attend a hearing scheduled for **November 23, 2021 at 10:00 a.m. at 701 E. Broad Street, Room 5100, Richmond, VA 23219.** If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.

- **REMOTE HEARING INFORMATION:**

Due to the COVID–19 public health emergency, no in-person hearings are being held.

This hearing will take place remotely through Zoom on the date and time scheduled herein.

To appear at the hearing, you must send, by email, a completed request form (the “Zoom Request Form”), which is available on the Court's internet website at [www.vaeb.courts.gov](http://www.vaeb.courts.gov), on the page titled, “Temporary Emergency Provisions Regarding ZoomGov Remote Proceeding Access Information.” Email your completed Zoom Request Form to the email address listed for the Judge assigned to the case. Following receipt of your Zoom Request Form, Court staff will respond to the email address from which the request was submitted with additional information on how to participate through Zoom.

\*\*\*The email address shall be used only to submit Zoom Request Forms. No other matters or requests will be considered by Court staff, and under no circumstances will any such matters or requests be brought to the Judge’s attention. Failure to comply with these instructions may result in appropriate action, including but not limited to the imposition of sanctions.

**\*\*\* PLEASE NOTE: You MUST submit the Zoom Request Form no later than two (2) business days prior to this hearing. Any documentary evidence the parties wish to present at the hearing must be filed with the Court in advance of the hearing.**

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Respectfully submitted,

JAMES HENRY CYRIAX  
By Counsel

/s/ James E. Kane  
James E. Kane (VSB# 30081)  
KANE & PAPA, P.C.  
P. O. Box 508  
Richmond, Virginia 23218-0508  
Telephone (804) 225-9500  
*Counsel for Debtor*

**CERTIFICATE OF SERVICE**

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/s/ James E. Kane

James E. Kane

Label Matrix for local noticing  
0422-3  
Case 21-31764-KLP  
Eastern District of Virginia  
Richmond  
Wed Oct 27 17:23:43 EDT 2021

Advanta Bank Corporation  
701 East Broad Street  
Richmond, VA 23219-1888

Resurgent Capital Services  
PO Box 10368  
Greenville, SC 29603-0368

Advanta Credit Cards  
c/o Resurgent Capital  
PO Box 10368  
Central, SC 29630-0000

American Express  
c/o Beckett and Lee  
P.O. Box 3001  
Malvern, PA 19355-0701

American Express National Bank  
c/o Becket and Lee LLP  
PO Box 3001  
Malvern PA 19355-0701

Ashley Funding Services  
P. O. Box 10587  
Greenville, SC 29603-0587

Ashley Funding Services, LLC  
Resurgent Capital Services  
PO Box 10587  
Greenville, SC 29603-0587

Atlantic Union Bank  
P.O. Box 940  
Ruther Glen, VA 22546-0940

Beckett & Lee LLP  
PO Box 3001  
Malvern, PA 19355-0701

Birkdale Community Association  
EQUITY EXPERTS  
2391 PONTIAC RD  
AUBURN HILLS, MI 48326-2462

Birkdale Community Association  
c/o ACS West AAMC  
1904 Byrd Ave., Suite 100  
Richmond, VA 23230-3027

Brock & Scott PLLC  
484 Viking Drive  
Suite 203  
Virginia Beach, VA 23452-7321

Capital One  
Attn: Bankruptcy  
Po Box 30285  
Salt Lake City, UT 84130-0285

Capital One Bank (USA), N.A.  
by American InfoSource as agent  
4515 N Santa Fe Ave  
Oklahoma City, OK 73118-7901

Equity Experts  
2391 Pontiac Road  
Auburn Hills, MI 48326-2462

Internal Revenue Service  
Centralized Insolvency Operati  
P. O. Box 7346  
Philadelphia, PA 19101-7346

Kohl's  
Peritus Portfolio Services II, LLC  
PO BOX 141509  
IRVING, TX 75014-1509

Kohls/Capital One  
Attn: Credit Administrator  
Po Box 3043  
Milwaukee, WI 53201-3043

LVNV Funding, LLC  
P.O. Box 10587  
Greenville, SC 29603-0587

LVNV Funding, LLC  
Resurgent Capital Services  
PO Box 10587  
Greenville, SC 29603-0587

MERRICK BANK  
Resurgent Capital Services  
PO Box 10368  
Greenville, SC 29603-0368

McMichael Taylor & Gray LLC  
3550 Engineering Drive  
Suite 260  
Norcross, GA 30092-2871

Merrick Bank/CardWorks  
Attn: Bankruptcy  
Po Box 9201  
Old Bethpage, NY 11804-9001

Miramend Revenue Group  
Attn: Bankruptcy  
360 E. 22nd Street  
Lombard, IL 60148-4924

(p)MISSION LANE LLC  
PO BOX 105286  
ATLANTA GA 30348-5286

Synco/PPC  
Attn: Bankruptcy  
Po Box 965060  
Orlando, FL 32896-5060

US BANK TRUST NATIONAL ASSOCIATION, AS TRUST  
the Bungalow Series IV Trust  
SN Servicing Corp  
323 Fifth St  
Eureka, CA 95501-0305

US Bank N.A.  
P.O. Box 65250  
Salt Lake City, UT 84165-0250

Verizon  
by American InfoSource as agent  
4515 N Santa Fe Ave  
Oklahoma City, OK 73118-7901

Virginia Dept. of Taxation  
P O Box 2156  
Richmond, VA 23218-2156

Carl M. Bates  
341 Dial 866-813-0912 Code: 8576180  
P. O. Box 1819  
Richmond, VA 23218-1819

James E. Kane  
Kane & Papa, PC  
1313 East Cary Street  
P.O. Box 508  
Richmond, VA 23218-0508

James Henry Cyriax  
14337 Old Bond Street  
Chesterfield, VA 23832-4403

John P. Fitzgerald, III  
Office of the US Trustee - Region 4 -R  
701 E. Broad Street, Ste. 4304  
Richmond, VA 23219-1849

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified  
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Mission Lane LLC  
Attn: Bankruptcy  
Po Box 105286  
Atlanta, GA 30348-0000

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)U.S. Bank Trust National Association, as T

End of Label Matrix	
Mailable recipients	34
Bypassed recipients	1
Total	35